

**From:** Jon Sellers  
**To:** Microsoft ATR  
**Date:** 12/14/01 5:12pm  
**Subject:** Proposed Microsoft Settlement

My name is Jon Sellers. My address is 5541 Oak Hollow Drive, Titusville, FL 32780. I would like to make public comment on the proposed settlement for the Microsoft case.

I have over 15 years of experience in the systems management and software development fields and I am currently an Information Systems Manager with the Brevard County Board of County Commissioners. The opinions stated here are strictly my own and do not necessarily represent the opinions of my employer.

The current proposed settlement will have no affect on the maintenance of Microsoft's monopoly in desktop operating systems. The basis of this monopoly is simple:

1. Control of the Application Programming Interface (API) to the Windows operating system. By maintaining this control, Microsoft can modify the API to its advantage and to the disadvantage of its competitors.
2. Control of the file formats associated with its products. A commercial competitor cannot be assured its products will work with these formats which again, can be modified to Microsofts advantage.
3. Control of the network protocols associated with its network protocols. The argument is exactly the same as above.

Because the settlement proposed by Microsoft and the Department of Justice will not rectify any of these fundamental problems, it will not have any effect on Microsoft's maintenance of its monopoly.

It is my stated opinion that a better settlement would be to simply require that the above are made into public standards, alterable only by the consensus of an organization whose members represent both Microsoft and its competitors.

Jon Sellers